

REMARKS

INTRODUCTION:

In accordance with the foregoing, claims 1 to 15 have been amended, and claim 16 is added. New claim 16 is supported, for example, by paragraphs from page 7, line 19 to page 8, line 23 of the application as filed (the equivalent paragraphs are [0017] to [0025] of Patent Application Publication 2006/0135789).

Claims 1-16 are pending and under consideration. Reconsideration is respectfully requested.

CLAIM REJECTIONS UNDER 35 U.S.C. §112

Claims 1-15 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. With this Amendment, amended independent claim 1 now recites, in part:

"(vi) extracting the mixture of step (v) using a nonpolar organic solvent or a mixture of nonpolar organic solvents to yield an organic layer containing gabalactam," and

"(x) distilling of the nonpolar organic solvent or the mixture of nonpolar organic solvents at a temperature in a range from 60 to 110 degrees C, under reduced pressure to yield gabalactam."

Also, amended claim 15 now recites:

"The process as claimed in claim 1 wherein in step (x) the distilling of the nonpolar organic solvent or the mixture of nonpolar organic solvents is performed at the temperature in the range from 60 to 90 degrees C under reduced pressure."

In addition, claims 1 to 15 have been amended for clarity and better form.

As a result, the issues pointed out in the Office Action are believed to have been fully addressed. Therefore, Applicants request that the rejection of claims 1-15 under 35 U.S.C. §112 be withdrawn.

CLAIM OBJECTION

Claim 1 was objected to because of the informality in the phrase "in the temperature" in step (iii). As suggested by the Examiner to use the phrase "at the temperature," amended claim 1 now recites, in part:

"(iii) aging the mixture from step (ii) at a temperature in a range from -10 to +10 degrees C

for a period in a range from 0.5 to 2 hours."

Therefore, Applicants request that the objection of claim 1 be removed.

CONCLUSION:

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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